

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,  
Plaintiff,

v.

[11]CARLOS COLLAZO-ARROYO  
Defendant.

CRIMINAL NO. 97-271(HL)

**UNITED STATES NOTICE OF COMPLIANCE AND REQUEST  
FOR A COURT ORDER TO COMPEL FORMER DEFENSE COUNSEL  
TO DELIVER DISCOVERY PACKAGE TO NEWLY APPOINTED COUNSEL**

TO THE HONORABLE COURT:

COMES NOW, the United States of America, through the undersigned attorneys and before this Honorable Court very respectfully states and prays as follows:

1. On March 2, 2005, this Honorable Court issued a written Scheduling Order.
2. Paragraph 3 of the Order provides as follows:

"To avoid undue delay, the government shall furnish or make available to defendant(s) all discoverable material (Brady and Giglio) on or before March 21, 2005, and shall file a notice of compliance itemizing the material made available to defendant(s). Jencks material to be made available to defendant(s) one day before trial."

3. In compliance with the Order, the United States hereby sets forth the itemization of the extensive material provided to defendant's formal counsel, Mr. Gustavo A. Del Toro, Esq., on 2/12/98, 4/15/98, 7/7/98, 9/18/98, 8/12/99, 9/1/99, 9/10/99, 9/14/99 and 9/19/99 by way of discovery letters attached to this Notice as Exhibit 1.

4. Jencks Act material was provided to counsel before the first trial; and the new jury instructions shall be filed not later than two (2) days before the trial.

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5. The United States was ordered to provide Brady and Giglio by not later than March 21, 2005. The Government hereby informs that all Brady and Giglio material, was provided to former counsel prior to the first trial. (See Exhibit 1).

6. Also in compliance with this Court's Order, the Government informs that a Motion of Reciprocal Discovery will be filed by the United States.

7. As stated in paragraphs 3 and 5 above and as reflected in Exhibit 1 of this motion, extensive discovery material was provided to defendant's previous attorney (Mr. Gustavo A. del Toro) in this case. In light of this, the United States respectfully requests from this Court to issue an Order to compel former defense counsel Gustavo A. del Toro and the defendant, to provide all the discovery material already in their possession to newly appointed counsel Mr. Raymond Rivera-Esteves.

WHEREFORE, the United States respectfully requests its compliance with this Court's Scheduling Order be noted; and an Order be entered by this Honorable Court to compel former defense counsel Mr. Gustavo A. del Toro and defendant Carlos Collazo-Arroyo, to provide all the discovery material in their possession to newly appointed counsel, Mr. Raymond Rivera-Esteves.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 28th, day of March of 2005.

H. S. GARCIA  
United States Attorney

s/Warren Vázquez  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Gustavo A. del Toro, Esq. and Raymond Rivera-Esteves, Esq.

At San Juan, Puerto Rico, this 28th day of March 2005.

s\Warren Vázquez  
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